

1
2
3
4
5
6
7
8
9
10
11
12
13
14

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KENNETH FRIEDMAN,

Petitioner,

v.

JAMES COX, *et al.*,

Respondents.

Case No. 2:15-cv-00380-RFB-CWH

ORDER

15 This stayed habeas matter comes before the Court on retained counsel's motion
16 to withdraw as counsel. (ECF No. 51.)

17 The motion reflects that petitioner advised counsel that her services were no longer
18 needed, that he requested that she file a motion to withdraw, and that she served the
19 motion on petitioner at his then-current High Desert State Prison address. No opposition
20 to the motion has been filed by petitioner. The motion therefore will be granted, and
21 petitioner therefore now is proceeding *pro se* in this federal habeas matter.

22 Petitioner must continue to file status reports at 120-day intervals, and the next
23 status report is due on January 7, 2020. If he fails to do so, the stay potentially may be
24 lifted and the case may be dismissed. The Court notes that petitioner apparently has
25 retained new counsel in the state court proceeding. If petitioner wishes for that counsel
26 to instead file the January 7, 2020, status report and subsequent status reports and filings,
27 counsel will need to properly enter an appearance in this matter prior to making filings on
28 behalf of petitioner in the federal case.

IT THEREFORE IS ORDERED that the motion to withdraw as counsel (ECF No. 51) is GRANTED and that Lisa A. Rasmussen is withdrawn as counsel.

The Clerk of Court shall reflect on the docket sheet, in a manner consistent with the Clerk's current practice for such matters, that petitioner now is proceeding *pro se*. The Clerk further shall send a copy of this order both to the High Desert State Prison address and NDOC back number shown in the motion to withdraw and also to the following address with the different back number for CCDC:¹

Kenneth A. Friedman,
ID # 01858832
Clark County Detention Center
330 South Casino Center Blvd.
Las Vegas, NV 89101

A status report remains due in this matter by petitioner for January 7, 2020. The Clerk shall additionally send petitioner in proper person together with this order a copy of the most recent status report filed by Ms. Rasmussen.

DATED: December 17, 2019.


RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

¹ The state district court's online docket record reflects that, subsequent to service of the motion to withdraw being effected, petitioner was transported to be housed at the Clark County Detention Center (CCDC) so that he could more readily consult with his current counsel in the state court proceedings. However, petitioner currently appears on the online inmate locator for both High Desert and CCDC. The Court will not keep sending mail to two addresses. If petitioner continues to proceed *pro se* in this matter, he must keep the Clerk updated as to a current, single, mailing address with a written notice of change of address. He should so advise the Clerk promptly following receiving this order, unless an attorney – also promptly – instead will be entering an appearance on his behalf. Neither the Court nor the Clerk have an obligation to attempt to track petitioner's whereabouts to ensure that he receives court mailings. So he should promptly make sure that the Clerk has a mailing address at which either he or instead a counsel of record herein will receive notices from the Court.